

REMARKS

In the Office Action, the Examiner objected to claims 21-36 indicating that they were in conflict with claims 21-36 of co-pending U.S. Application 09/841,242 (hereinafter "co-pending application"); rejected claims 24-29, 30, and 34 as being indefinite under 35 U.S.C. § 112, second paragraph; objected to the abstract; rejected claims 21-30 and 34-36 under 35 U.S.C. § 102(e) as being anticipated by Strandberg (U.S. Patent No. 6,054,999, hereinbelow "Strandberg"); rejected claims 31-33 under 35 U.S.C. § 103(a) as being unpatentable over Strandberg in view of Tsuga et al. (U.S. Patent No. 5,895, 124, hereinbelow "Tsuga")

Concerning the Examiner's objection that claims 21-36 of the above-captioned application "conflict" with claims 21-36 of co-pending U.S. Application 09/841,242 (hereinafter "co-pending application"), Applicants respectfully point out that claims 21-36 of the co-pending application have been cancelled. As evidence that claims 21-36 are not pending in the co-pending application, Applicants provide a copy of the most recent Office Action (dated March 31, 2003) in the co-pending application. Because the co-pending application does not include claim 21-36, Applicants submit that the objection should be withdrawn.

Concerning the rejection under 35 U.S.C. § 112, second paragraph, Applicants submit that the amendments to claims 21 and 35 provide antecedent basis to "the player's" and thus obviate the basis for the Examiner's rejection of claims 24, 29, 30 and 34. Therefore, the rejection of claims 24, 29, 30 and 34 under 35 U.S.C. § 112, second paragraph, should be withdrawn.

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Concerning the objection to the abstract, Applicants submit that the new abstract obviates the basis for the Examiner's objection.

The Examiner rejected claims 21-30 and 34-36 under 35 U.S.C. § 102(e) as being anticipated by Strandberg. Applicants traverse this rejection for at least the following reasons.

Amended claim 21 recites a combination of elements including, *inter alia*, "viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined based on a player's operation."

In contrast to amended claim 21, Strandberg describes "mark[ing]" an actor with motion points and generating "key drawings." (Strandberg, col. 11, l. 31-col. 12, l. 5.) Strandberg generates a sufficient number of key drawings to visually represent "the whole spectrum of movement." In particular, Strandberg describes a movement spectrum of "240 positions per revolution and axis." Rather than using a single viewpoint that corresponds to a virtual camera and is determined based on a player's operation, Strandberg's takes a different approach by merely generating a plurality of key drawings. Therefore, Strandburg fails to teach or suggest at least one of the elements of amended claim 21 including, for example, "viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined based on a player's

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operation.” Therefore, the rejection of claim 21 under 35 U.S.C. § 102(e) should be withdrawn.

Claims 22-30, and 34 depend either directly or indirectly from claim 21. Amended claim 35, although of different scope, includes recitations similar to those of amended claim 21. Claim 36 depends from claim 35. For at least the reasons given above with respect to claim 21, the rejection of claims 22-30 and 34-36 under 35 U.S.C. § 102(e) should be withdrawn.

Moreover, claim 34 further recites, *inter alia*, “said virtual space has an inhibited area in which said viewpoint can not be located.” In contrast, Strandberg merely discloses manipulating the actor’s motion dynamics by time compression, and, as such, does not teach or suggest an inhibited area for the viewpoint (e.g., viewpoint from the virtual camera which captures object motion), as recited in claim 34. For this additional reason, the rejection of claim 34 under 35 U.S.C. § 102(e) should be withdrawn.

Claim 28 further defines the image processing device of any of claims 21-27 to include that the “recording means can pause recording of said image on the basis of the player’s operation, and said presentation control means can change the presentation of this image whilst the recording of the image is paused by said recording means.” The Examiner suggests that Strandburg at column 7, line 62 through column 8, line 2 teaches this element. However, a carefully reading of the passage cited by the Examiner reveals that nowhere does the cited passage teach or suggest that the recording means can pause recording of the image based on a player’s operation, as required by claim 28. Nor does the cited passage teach or suggest that the presentation control means can change the presentation of the image while the

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recording of the image is paused by the recording means, as require by claim 28. For this additional reason, the rejection of claim 28 under 35 U.S.C. § 102(e) should be withdrawn.

By way of non-limiting example, Applicants refer the Examiner to page 56, lines 7 through 20 of the present application to illustrate an exemplary embodiment of claim 28. There, an exemplary object is in still state when the image recording is paused. While paused, the viewpoint is changed, and the image changes according to the movement of the viewpoint. When the image recording is resumed, the object resumes its motion from the viewpoint selected by the player. The playback images, which are recorded, also depict the changed viewpoint. This example from the specification is merely for purposes of illustration. As such, the pending claims should not be limited based on the above example.

Claim 30, although of different scope, includes recitations similar to those of claim 28. For at least the reason given with respect to claim 28, the rejection of claim 30 under 35 U.S.C. § 102(e) should be withdrawn.

The Examiner rejected claims 31-33 as unpatentable over Strandberg in view of Tsuga. Applicants traverse the rejection for at least the following reasons.

Claims 31-33 depend from claim 21 and include all the elements therein including "viewpoint determining means for determining a position of the viewpoint for capturing the image containing the object, wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined based on a player's operation." For at least the reasons given above, Strandburg fails to teach this element. Although Tsuga discloses an optical disc

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reproduction device, Tsuga fails to cure the deficiencies of Strandburg. Claims 31-33 are thus patentable over Strandburg and Tsuga, whether taken alone or in any reasonable combination. Therefore, the rejection of claims 31-33 under 35 U.S.C. §103(a) should be withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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APPENDIX TO AMENDMENT

21. (Amended) An image processing device which displays an image of which an object is captured from a viewpoint in a virtual space, comprising:

presentation control means for controlling [the] presentation of [an] the image containing [said] the object which changes in shape;

viewpoint determining means for determining a [the] position of [a] the viewpoint for capturing [an] the image containing [said] the object [by means of said presentation control means], wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined based on a player's operation; and

recording means for recording the [an] image obtained from the viewpoint determined by [said] the viewpoint determining means.

35. (Amended) An image processing method for displaying a prescribed object [whilst] while changing the shape of [said] the object, comprising:

a presentation control step for controlling [the] presentation of an image containing [said] the object which changes in shape;

a viewpoint determining step for determining [the] a position of a viewpoint for capturing the [an] image containing [said] the object [by means of said presentation control step], wherein the viewpoint corresponds to a virtual camera that captures motion of the object, and wherein the position of the viewpoint is determined based on a player's operation; and

a recording step for recording images obtained from the viewpoint determined by [said] the viewpoint determining step.